IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 36237 of 2007(L)

PETITIONERS:

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1. SHALBI SHAJI, W/O SHAJI,
   THANIPPILLI HOUSE, MOOLAMPILLY P.O.,
   PIN-682027.

2. MERLIN MENDEZ, POOMATTAM PARAMBIL,
   W/O SEBASTIAN, MOOLAMPILLY P.O.,
   KOCHI-27.

3. P.J.THOMAS, S/O JOSEPH,
   PANAKKAL HOUSE, MOOLAMPPILLY,
   KOCHI-27.

4. SISLIA GREENY, D/O FRANCIS,
   PUTHENVEETTIL, CHANNOOR,
   KOTHAD P.O.

5. SUKUMARAN, S/O CHERUKUNDAN,
   PADIYATH HOUSE, KORAMPADAM,
   KOTHAD P.O.

6. JOSEPH STANLEY, S/O GEORGE,
   KANNAMKERI HOUSE, KARIKKATTUTHURUTH,
   KOTHAD P.O., PIN-682027.

7. AUGUSTINE P.C., S/O CYRIAC,
   PANAKKAL HOUSE, MOOLAMPILLY P.O.,
   KOCHI-27.

8. JOSEPHINA MENDEZ,
   POOMATTAM PARAMBIL,
   MOOLAMPILLY, KOTHAD P.O.

9. JOHNSON PETER, S/O PETER,
   THOTTAKKATT HOUSE, KOTHAD P.O.,
   PIN-682027.

10. VIRUNNEN, S/O KANNAN,
VADAKODAN HOUSE, KOTHAD P.O.,
KORAMPADAM, PIN- 682027.

11. FERDINAND DAWARAVE, S/O JOSEPH,
DAWARAVE, MALIAKKAL HOUSE,
MOOLAMPILLY P.O., KOCHI-27.

12. SEBASTIAN M.M, S/O MICHEL,
MUZHANGATHARA HOUSE, KOTHAD P.O.,
KORAMPADAM, KOCHI-27.

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENTS:
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1. KADAMAKKUDY GRAMA PANCHAYAT,
KOTHAD P.O., KOCHI-27, REPRESENTED BY ITS
SECRETARY.

2. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, LOCAL ADMINISTRATION DEPARTMENT,
THIRUVANANTHAPURAM.

3. UNION OF INDIA, REPRESENTED BY ITS
SECRETARY, MINISTRY OF ENVIRONMENT AND FORESTRY.
PRARYAVAN BHAVAN, CGO COMPLEX, LODHI ROAD,
NEW DELHI.

*ADDL.R4. THE KERALA COASTAL ZONE MANAGEMENT AUTHORITY,
SASTHRA BHAVAN, PATTOM, TRIVANDRUM, REPRESENTED
BY ITS SECRETARY.

*ADDL. R4 IS IMPLEADED SUO MOTU AS PER THE ORDER
DATED 7.12.2007 IN W.P.C.

R3 BY ADV. SMT.MOLY.E.V., CGC
R1 BY ADV.SRI.T.K.AJITHKUMAR (VALATH)
R2 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No. 36237 of 2007

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Dated: 7th December, 2007

JUDGMENT

The grievance of the petitioners is that the buildings constructed by them are not being numbered by the 1st respondent-Panchayat on the reason that the constructions are in violation of CRZ Regulations. According to the petitioners, the additional 4th respondent is reviewing the entire matter pursuant to the orders passed by this court and in the meanwhile the Panchayat should be directed to number the buildings provisionally subject to the decision which to be finally taken by the additional 4th respondent. Counsel for the Panchayat does not agree. He submits that it is for the petitioners to move the additional 4th respondent and obtain orders in that regard since the Supreme Court has held that the competent authority is the additional 4th respondent. Under these circumstances, I direct the petitioners to file applications before the additional 4th respondent stating all the facts and voicing their grievances. If applications are received from the petitioners within two weeks from today, the additional 4th respondent will consider that applications and take decisions as regards the buildings belonging to the petitioners herein

at the earliest and at any rate within ten weeks of receiving copy of the judgment.

The Writ Petition is disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**